

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re)
) MM Docket No. 94-29
Amendment of Section 73.202(b),) RM-8416
Table of Allotments,)
FM Broadcast Stations)
(Willows and Dunnigan,)
California))

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JUN 21 1994

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

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REPLY COMMENTS OF MICHAEL ROBERT BIRDSILL

These REPLY COMMENTS are directed towards the COMMENTS
IN OPPOSITION to this Proposed Rulemaking filed by KZSA
Broadcasting, Inc. ("KZSA"). In determining whether to Grant
an FM Licensee's Request to change the Community of License,
the Commission has held that there are three factors that must
be considered. Simply stated those factors are:

1. The new allotment must be mutually exclusive to the
previous allotment.
2. The proposal would not deprive the previous community
its sole local transmission service.
3. The proposal would further the Commission's Allotment
priorities and policies.

There is no question that the new and the previous allotment
are mutually exclusive. Infact, allocation of B1 facilities
can only be accomplished by changing the community of license.
And additionally , it must be recognized that by realloting
FM Channel 288 from Willows, California to Dunnigan, California,
the public interest would served by allotting FM Channel 287C1
to Shingletown, California as advanced in my COMMENTS, as each
would provide expanded FM service to those communities.

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The proposal would not deprive Willows of a sole local transmission service, as KIQS(AM) would remain. KZSA claims that the day-time only status of KIQS(AM) makes it less than a local transmission service is not correct. The Commission has stated in **Community Modifications II**, " Consistent with Commission precedent, we will consider both daytime and full-time AM stations as local aural transmission services." [5 FCC 7097 (1990) para. 20].

Finally, this proposal does further the Commission's Allotment priorities and policies in that Dunnigan will receive its first local service. KZSA's argument that this proposal would reallocate from a rural area (Willows) to an urban area (Dunnigan) is less than accurate. Viewing any known map of Northern California, one can readily see that Willows and Dunnigan are **both rural areas**, if the definition of rural is a population center surrounded land that is being used mostly for agriculture. To make the argument that Dunnigan is part of the Sacramento MSA is equally less than accurate. Again viewing a map of Northern California, one can readily see that Dunnigan, in Yolo County, is a mere 3 miles inside the Northern boundary of that county. Therefore, the geographical location relative to the rest of the Sacramento MSA is more important, **(hence the service received in Dunnigan by the other stations included in that MSA)**, than the fact that because Dunnigan is located in Yolo County it must be considered as part of that MSA.

In compliance with Section 1.52 of the Commission's Rules,
the statements contained in theses REPLY TO OPPOSITION COMMENTS
are accurate to the best of my knowledge.

DATE: 20 June 1994

A handwritten signature in black ink that reads "Michael Robert Birdsill". The signature is written in a cursive style with a horizontal line underneath the name.

Michael Robert Birdsill

P.O. Box 1921,

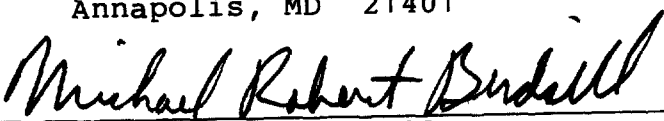
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CERTIFICATE OF SERVICE

I, Michael Robert Birdsill, do hereby certify that I mailed to the persons named below a copy of the foregoing REPLY COMMENTS regarding MM Docket 94-29, via first-class mail, prepaid, on this 20 th day of June, 1994.

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KZSA Broadcasting, Inc.
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Michael Robert Birdsill